

## Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Tax - General**

5-102.

(a) Except as provided in § 5-104 of this subtitle, a tax is imposed on any alcoholic beverage in the State.

(b) A tax is imposed on each person who sells or consigns an alcoholic beverage in the State from a jurisdiction outside the State, if the Comptroller finds that, in connection with the solicitation, sale, and distribution of alcoholic beverages, the jurisdiction:

(1) requires a tax, assessment, or charge that is greater for alcoholic beverages consigned from a Maryland licensee or permit holder than the amount required for alcoholic beverages consigned from a licensee or permit holder in another jurisdiction; and

(2) discriminates in fact against the licensee or permit holder of the State.

(c) (1) [(i) Except as provided in subparagraph (ii) of this paragraph, a] A county, municipal corporation, special taxing district, or other political subdivision of the State may not impose a tax on any alcoholic beverage.

[(ii) A tax is imposed on beer sold or delivered in Garrett County in addition to the tax imposed by the State under subsection (a) of this section.]

(2) The Comptroller may not impose the tax under subsection (b) of this section on a person who has distillery plants in this and another state.

5-105.

(a) Except as provided in subsection [(e)] (D) of this section, the alcoholic beverage tax rate for distilled spirits is:

(1) \$1.50 for each gallon or 39.63 cents for each liter; and

(2) if distilled spirits contain a percentage of alcohol greater than 100 proof, an additional tax, for each 1 proof over 100 proof, of 1.5 cents for each gallon or 0.3963 cents for each liter.

(b) Except as provided in subsection [(e)] (D) of this section, the alcoholic beverage tax rate for wine is 40 cents for each gallon or 10.57 cents for each liter.

(c) Except as provided in subsection [(e)] (D) of this section, the alcoholic beverage tax rate on beer is 9 cents for each gallon or 2.3778 cents for each liter.

[(d) The Garrett County beer tax rate is, in addition to the rate under subsection (c) of this section: